

ZB# 01-38

**LSI Lightron /
First Columbia**

3-1-50

#01-38-TNW/First Columbia/LS2
Area: Parking 3-1-50

Prelim.

July 9, 2001
(App. furnished)

Public Hearing:

Aug. 13, 2001.

Granted

Refund: \$ 403.00

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: THU/First Columbia/LSI

FILE# 01-38

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 150.00

*paid
ck #2388.*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00

*paid
ck 2389.
7/26/01.*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 7/23/01-2 \$ 13.50
2ND PRELIMINARY-PER PAGE 8/13/01-3 \$ 13.50
3RD PRELIMINARY-PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 7/23/01 \$ 35.00
2ND PRELIM. 8/13/01 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING. \$
PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 92.00

LESS ESCROW DEPOSIT \$ 500.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 403.00

Date 7/24/01 ,

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Bette & Cring LLC DR.

26 Century Hill Dr., Ste 101
Latham, N.Y. 12110

[illegible]

BETTE & CRING LLC
26 Century Hill Dr, Ste 101
Latham, NY 12110

IT

2389

50-7083/2213
BRANCH 001

DATE 7/26/01

PAY
TO THE
ORDER OF Town of Windsor

\$ 500.00

Five hundred - 00
100

DOLLARS



Manufacturers and Traders Trust Company
Capital District Office

FOR 0120 000001, ZBA # 01-38

Pete B...

⑈002389⑈ ⑈221370632⑈61000000117912⑈

BETTE & CRING LLC
26 Century Hill Dr, Ste 101
Latham, NY 12110

IT 2388
50-7063/2213
BRANCH 881

DATE 7/26/01

PAY TO THE ORDER OF Town of Windsor

\$ 150.00

One hundred fifty $\frac{00}{100}$

DOLLARS



Met Bank
Manufacturers and Traders Trust Company
Capital District Office

FOR 0120 0000011 2BA *01-38

Pete B...

⑈002388⑈ ⑆221370632⑆61000000117912⑈

ZBA # 01-38

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#704-2001**

07/26/2001

Llc, Bette & Cring

**Received \$ 150.00 for Zoning Board Fees on 07/26/2001. Thank you for stopping by
the Town Clerk's office.**

As always, It is our pleasure to serve you.

**Deborah Green
Town Clerk**

-----X
In the Matter of the Application of
LSI LIGHTRON/FIRST COLUMBIA

MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE

#01-38.
-----X

WHEREAS, **LSI LIGHTRON**, 103 Executive Drive, New Windsor, N. Y. 12553, sub-lessee, and **FIRST COLUMBIA LLC**, 26 Century Hill Drive, Latham, N. Y. 12110, lessee, have made application before the Zoning Board of Appeals for a parking variance of 132 spaces for proposed production facility at Avenue of the Americas in an AP-1 zone; and

WHEREAS, a public hearing was held on the 13th day of August, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared by Christopher J. Bette, P. E., a principle of First Columbia LLC for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property consisting of a proposed manufacturing facility located on the grounds of Stewart International Airport in a commercial zone.

(b) The Applicant has obtained site plan approval from the Planning Board. The Applicant is planning to reduce the number of parking spaces required for the site.

(c) The property is currently vacant consisting of land, that is flat, or gently sloping. The building is improved in such a way that if there is a requirement for future additional parking, that it can be added to the site.

(d) If a parking variance is granted there would still be fire access around the site.

(e) There will be 275 remaining parking spaces if the variance is granted.

(f) The proposed facility is a production and warehousing facility doing no retail business and having few visitors to the facility.

(g) There will be adequate parking for employees of the facility on all shifts.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations, but nevertheless is warranted.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The interests of justice will be served by allowing the granting of the requested area variance.

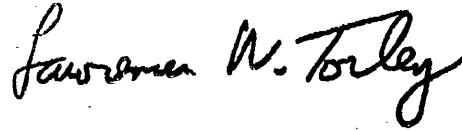
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a variance for 132 parking spaces for a proposed production facility on Avenue of the Americas at Stewart International Airport, in an AP-1 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: November 26, 2001

A handwritten signature in black ink, reading "Lawrence W. Torley". The signature is written in a cursive style with a large, stylized 'L' and 'T'.

Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

01-38.

Date: 7/26/01.

I. Applicant Information:

- (a) First Columbia LLC 26 Century Hill Dr Latham, NY 12110 518-213-1000
(Name, address and phone of Applicant) (Owner)
- (b) LSI Lightron Inc. 103 Executive Dr. Suite 501 New Windsor, NY 12553 845-562-5500
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) Bette & Cring Construction Group 26 Century Hill Dr. Latham, NY 12110 518-213-1010
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) AP-1 Avenue of the Americas 3-1-50 20 Acres
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? Airport
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? N/A
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No
- _____

IV. Use Variance.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of use/bulk Regs., Col. 0.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area <u>407 spaces</u>	<u>275 spaces</u>	<u>132 spaces</u>

* Residential Districts only

** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

Describe why you believe the ZBA should grant your application for an area variance:

See attached

(You may attach additional paperwork if more space is needed)

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation.

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

Request for Area Variance:

The proposed LSI Lightron Facility requires, per Town of New Windsor Zoning Code, off-street parking of approximately 395 spaces. The calculation for the parking is based on the larger number of parking generated from either:

- The building square footage calculation: square footage of the production/ office area at 1 space per 400 s.f. and the square footage of the warehouse area at 1 space per 1000 s.f.
 - Production/ Office 117,700 s.f. x 1 Space/ 400 s.f. = 295 spaces
 - Warehouse 100,000 s.f. x 1 Space/ 1000 s.f. = 100 spaces
 - Total = 395 spaces

- Or the employee calculation: 1 parking space for each 2 employees.
 - The expected employment at the proposed facility (number of employees based on the existing Lightron Facility along the Hudson River in the Town of New Windsor) is:

Production/ warehouse	200 employees per shift
Office	<u>30 employees per shift</u>
Total	230 employees per shift

$$230 \text{ employees} \times 1 \text{ space} / 2 \text{ employees} = 115 \text{ spaces}$$

Based upon the above calculations, the required parking for this facility is 395 spaces, which greatly exceeds the expected demand and results in the creation of additional unneeded impervious area. As a comparison, the existing LSI Lightron facility in New Windsor, provides approximately 150 parking spaces. LSI's facility in Cincinnati, of similar size to the proposed facility, provides approximately 235 spaces. Both facilities provide ample parking to support the employees and visitors. Based on the above information, we would agree to provide parking in accordance with the Cincinnati facility. This amount of parking will adequately support the facility and eliminate any unnecessary impervious area to be installed.

We believe that it is good design practice to avoid the creation of unnecessary impervious area or a parking field that will be always empty. Our feelings are that maximizing the green space or landscaped area provides a more attractive design. We would like to request that the Board consider the use of a simple calculation of 1 space per 850 s.f. for the entire facility. At 1 space per 850 s.f. or 256 parking spaces, sufficient parking will be provided for the employees and visitors and allow parking for additional employment growth.

Date 9/29/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550
.....

DATE			CLAIMED	ALLOWED
8/13/01	Zoning Board Mtg		75 00	
	Mrs. - 3			
	Rodriguez - 2			
	Viera - 2			
	Conklin - 1			
	Steiner - 4			
	Betrix - 2			
	Panagiotopoulos - 3			
	Hofing - 3			
	First Columbia - 3 13.50			
	Deyo - 19		202 50	
	Bithwell - 45			
	45		277 50	

FIRST COLUMBIA/LSI LIGHTRON

Mr. Chris Bette appeared before the board for this proposal.

MR. TORLEY: Request for 132 parking space variance for proposed production facility at Avenue of Americas in the AP-1 zone.

MR. BETTE: My name is Chris Bette, I'm with First Columbia. I'm here on behalf of LSI Lightron to request a reduction in parking purely just to minimize the impervious area on the site due to the lack of demand for the additional parking that was required by the code. We have shown on the plan the ability to eliminate I think 132 spaces, that it doesn't impact the operation of the facility, nor eliminates the ability or won't eliminate the ability to create at a later time if it were needed.

MR. KRIEGER: That's the, what you propose to eliminate is shaded in yellow?

MR. BETTE: Shaded in yellow on the north side of the building, the rear side of the building.

MR. KRIEGER: What's the condition of the property now?

MR. BETTE: The property is apparently vacant.

MR. KRIEGER: Under the yellow, is it flat, is it wooded?

MR. BETTE: It's meadow area, gently sloping up.

MR. KRIEGER: So if there were additional parking needed in the future, it wouldn't be difficult to add?

MR. BETTE: It would not, in the construction of the facility, we'll be grading that so parking would be easily done.

MR. MC DONALD: Question came up in the preliminary meeting about the side there where if we eliminated the parking, still going to have the 30 foot right around

for fire access?

MR. BETTE: Correct, we're going to maintain the 30 foot fire access road around the whole facility.

MR. KANE: How many employees do you have working?

MR. BETTE: Lightron's existing facility down along the Hudson currently has 200 in the production warehouse area and about 30 people in their office so be about 230 people.

MR. KANE: How many parking spaces will you be left with if we take way 130?

MR. BETTE: We'll have 275 total.

MR. TORLEY: It's a production and warehousing facility, you're not anticipating dropping customers?

MR. BETTE: Correct, there's additional spaces for the few visitors that they get.

MR. REIS: Just a comment and in all my years on the last 142 years on the board, no, it hasn't been that many, this is refreshing that there's a request for a lesser impact than more. Just a note.

MS. CORSETTI: Is there anyone in the audience who wishes to speak on this matter?

MS. CORSETTI: I sent out 9 addressed envelopes with the legal notice contained inside on July 26th.

MR. TORLEY: Seeing no one in the audience wishing to speak on this matter, I'll close the public hearing and note that you may have set a record for the lowest number of notices necessary.

MR. KRIEGER: This is a commercial property in a neighborhood of commercial properties, correct?

MR. BETTE: Correct.

MR. TORLEY: It will be commercial properties?

MR. KRIEGER: Yes.

MR. REIS: What's the size of the facility?

MR. BETTE: The total size of the facility is 203,000 square feet.

MR. REIS: Accept a motion?

MR. KANE: Yes.

MR. REIS: I make a motion that we pass the First Columbia LSI Lightron's request for their variance for 132 less parking spaces at Avenue of the Americas.

MR. KANE: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. CANE	AYE
MR. TORLEY	AYE

Pls. publish immediately. Send bill to: Bette & Cring LLC
26 Century Hill Dr., Ste 101
Latham, NY 12110.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 38

Request of LSI Lighthouse, Inc.

for a VARIANCE of the Zoning Local Law to Permit:

Construction of proposed production facility w/
insufficient parking;

being a VARIANCE of Section 48-12-Table of Use/Bulk Regs. - Col. O
AP-1 zone;

for property situated as follows:

Avenue of the Americas, New Windsor, N.Y.

known and designated as tax map Section 3, Blk. 1 Lot 50

PUBLIC HEARING will take place on the 13th day of August, 2001 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
July 9, 2001.
#01-38.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 7/5/01

APPLICANT: Christopher J. Bette
26 Country Hill Road
Latham, NY 12110

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 7/5/01

FOR : Town of New Windsor

LOCATED AT: Avenue of the America :

ZONE: AP-1 Sec/ Blk/ Lot: 3-1-50

DESCRIPTION OF EXISTING SITE: Vacant-proposed production facility

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-12 Bulk-use table AP-1 zone

1. Required parking 407 spaces, requested spaces 275. A variance of 132 space will be required.

Thomas J. Kuchner
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: AP-1 USE: Parking
407 spaces

275 spaces

132 spaces

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A.. APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

JUL 03 2001

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2001 - 674

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

CALL KATY BECK 567-3675

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises TOWN OF NEW WINDSOR

Address 555 UNION AVE, NEW WINDSOR, NY 12553 Phone # 845-563-4618

Mailing Address SAME AS ABOVE Fax # 845-563-4690

Name of Architect BL COMPANIES

Address 830 SIE THOMAS CT. HARRISBURG, PA Phone 800-577-3267

Name of Contractor PERTE + CRNB CONSTRUCTION GROUP

Address 26 Century Hill Dr., Latham, NY 12110 Phone 518-213-1000

State whether applicant is owner, lessee, agent, architect, engineer or builder AGENT

If applicant is a corporation, signature of duly authorized officer.

Christine Speth Project Manager
(Name and title of corporate officer)

1. On what street is property located? On the WEST side of AVENUE OF THE AMERICANS
(N, S, E or W)
and WEST 100 feet from the intersection of TECH VALLEY RD.

2. Zone or use district in which premises are situated Airport-1 Is property a flood zone? Y N X

3. Tax Map Description: Section 3 Block 1 Lot 50

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy VACANT b. Intended use and occupancy LIGHT MANUFACTURING

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? ~~YES~~ NO

REDUCTION IN
REQUIRED PLOT-16

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50

Variance zoning —

ck# 174 att
7/3/01

PAID
CH

/ /
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Christine Smith
(Signature of Applicant)

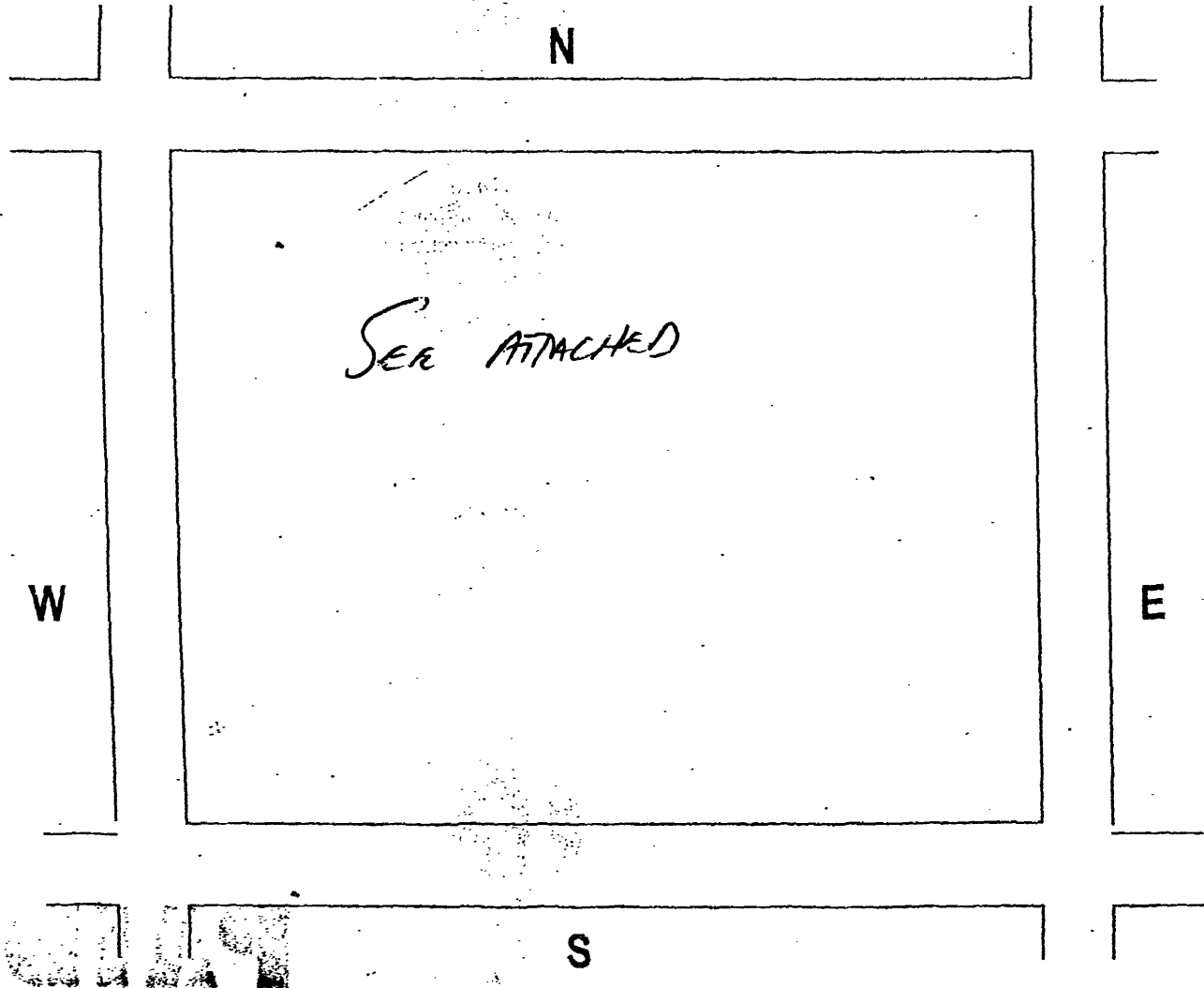
26 Country Hill Dr. Latham, NY 12110
(Address of Applicant)

(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



_____X

**AFFIDAVIT OF
SERVICE
BY MAIL**

01-38.

) SS.:

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That on the 26th day of July, 2001, I compared the 9 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Notary Public

____ day of _____, 20____.

Notary Public



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

July 9, 2001

(42) (9)

First Columbia
26 Century Hill Drive
Latham, NY 12110

Re: 3-1-50

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

There is no balance due.

Sincerely,

L. Cook / LEO

Leslie Cook
Sole Assessor

LC/lrd
Attachments

CC: Pat Corsetti, ZBA

2-1-15

MTA C/o Airport Director
NYS Department of Transportation
Stewart International Airport
1035 First Street
New Windsor, NY 12553

X

2-1-32

New York City Dept. of E P
C/o City of NY Dept. Bureau of Water
Supply OWSL
465 Columbus Avenue, Suite 350
Valhalla, NY 10595

X

2-1-33

Washingtonville Central School District
52 W Main Street
Washingtonville, NY 10992

X

32-2-83.2

County of Orange
255-275 Main Street
Goshen, NY 10924

X

3-1-42

United States of America
Stewart International Airport
New Windsor, NY 12553

X

3-1-43

Town of New Windsor
Stewart Airport
555 Union Avenue
New Windsor, NY 12553

X

32-2-80

Sisters of the Presentation of the Blessed
Virgin Inc. Mt. St. Joseph
880 Jackson Avenue
New Windsor, NY 12553

X

32-2-81

Henry & Nancy Specht
511 Lake Road
New Windsor, NY 12553

X

32-2-82

Lynn & Liduvina Beesecker
118 Weeks Avenue
Cornwall, NY 12520

X

32-2-83.1

Constance & David Volpe ETAL
23 Dogwood Hill Road
Newburgh, NY 12550

X

Date 8/7/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
7/23/01	Zoning Board Mtg		75 00	
	Misc. - 2			
	Singh/Preet Deli - 4			
	20 th Century Towing - 6			
	Kolpan - 6			
	Lucas - 4			
	TNW/First Columbia - 3	\$13.50		
	VST Realty/Quasar - 3			
	Pobles - 3			
	Picerno - 2			
	Bila - Tutor Time - 3			
	36		162 00	
			237 00	

TNW/FIRST COLUMBIA

Mr. Chris Bette appeared before the board for this proposal.

MR. TORLEY: Request for parking variance of 132 spaces for proposed production facility located on west side of Avenue of Americas in AP zone.

MR. BETTE: My name is Chris Bette, I'm with First Columbia. I'm here tonight on behalf of LSI Lightron to request the board consider the allowance of a reduction in required parking for their proposed facility at the former Stewart Army Sub Post. The site plan has been approved with approximately 407 parking spaces required based on the calculation from the square foot of the facility and office. LSI Lightron simply is saying we'll never use that much parking and we'd like to see if the board would considerate allowance of a reduction in parking which I have shown in the picture here in yellow to eliminate this from the construction and provide a total of 275 parking spaces which is roughly one space per every 800 square feet of building.

MR. TORLEY: Mike, does the building department have any opinion on it, is this such an unusual type of construction that you're not expecting them to need this kind of parking?

MR. BABCOCK: Well, I think they're telling us that if you look at the site plan, this building is what's the size of this building?

MR. BETTE: 200,000 square feet of production warehouse and roughly 14,000 square feet of general office space.

MR. BABCOCK: It's just a massive building, it's 200,000 square foot of building, it's huge and when you do our calculation the way that we calculate is by square footage.

MR. BETTE: The code allows for two calculations, but it takes the greater of the two, one by square footage, one by number of employees.

MR. TORLEY: Now, where you can make the calculation by number of projected employees?

MR. BETTE: This calculation was based on the square footage, if we were to do the number of employees, it's one per one space for every two employees which would require us to provide 115 parking spaces.

MR. TORLEY: And you're asking to provide?

MR. BETTE: 275, we anticipate 200 people in the production warehouse portion and 30 people in the office portion.

MR. MC DONALD: What was the name of it?

MR. BETTE: This is the existing Lightron, they're relocating from the river site down along the river.

MR. TORLEY: Now, the next question I have for the public hearing, your request is to eliminate the yellowed out parking spaces, is that it?

MR. BETTE: Yes.

MR. TORLEY: One question I have again for the public hearing if you eliminate the yellow spots, is that still going to be paved back there or I'm thinking about fire access, we have a large building like this, semis and things moving back and forth.

MR. BETTE: We're allowing, we're maintaining the 30 foot fire access road around, there won't be parking on the one side.

MR. BABCOCK: You know what you could do is probably get Bobby Rogers the fire inspector to sign off on it.

MR. TORLEY: That we appreciate when you say they're yellowing out an access to the side, I want to make sure that it's going to be paved, not just not there at all.

MR. REIS: With the reduction of the parking places,

July 23, 2001

24

you're still going to have a significant amount of overage?

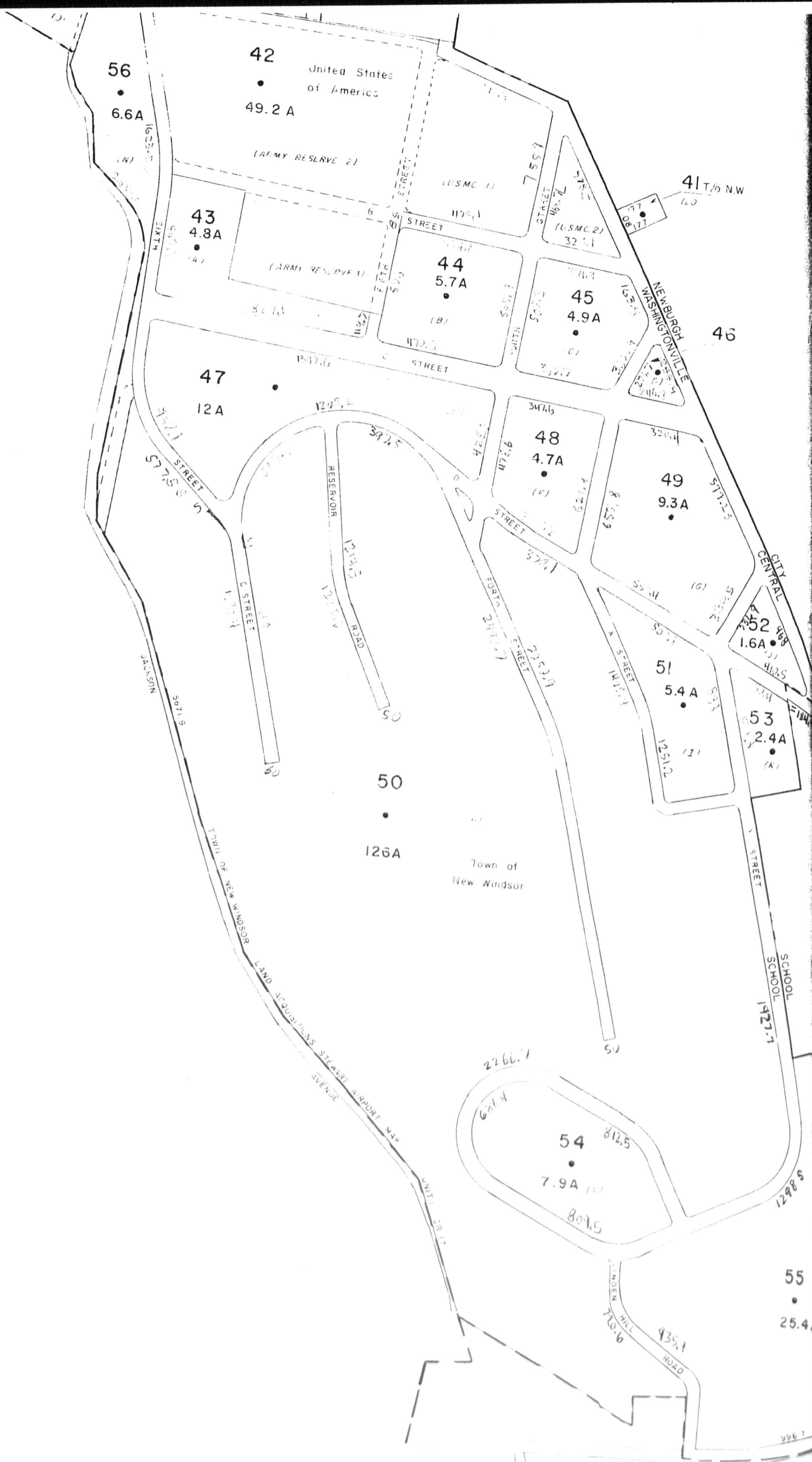
MR. BETTE: Correct, still allow for visitors and growth and expansion.

MR. REIS: Make a motion we set up First Columbia for the requested variances.

MR. KANE: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE



SECTION 32

LEGEND		TAX MAP BLOCK NO
VIY LINE	FILED PLAN LOT LINE	
VILLAGE	EASEMENT LINE	
ION LIMIT		



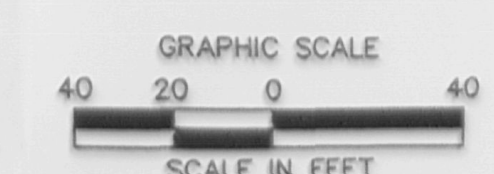
ZONING INFORMATION				
LOCATION: TOWN OF NEW WINDSOR				
ZONE: AIRPORT-AP-1 (AP-1S)				
USE: (PERMITTED USE) LIGHT MANUFACTURING				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	MINIMUM LOT AREA (S.F.)	40,000 S.F.	871,268 S.F.	N/A
2	MINIMUM LOT WIDTH (FEET)	100 FEET	651 FEET	N/A
3	REQUIRED FRONT YARD DEPTH (FEET)	50 FEET	111.85 FEET	N/A
4	REQUIRED SIDE YARD / TOTAL BOTH YARDS (FT)	20/40 FEET	182.82 / 164.34 FEET	N/A
5	REQUIRED REAR YARD DEPTH (FEET)	30 FEET	N/A	N/A
6	REQUIRED STREET FRONTAGE (FEET)	N/A	N/A	N/A
7	MAXIMUM BUILDING HEIGHT (FT)	45 FEET	31 + FEET	N/A
8	DEVELOPMENT COVERAGE	0.85	0.54	N/A
9	MINIMUM LIVABLE FLOOR AREA (S.F.)	N/A	N/A	N/A

EASEMENT LINE TABLE		
LINE	BEARING	LENGTH
E1	S 19°-14'-30" E	20.02'
E2	N 89°-59'-58" E	34.64'
E3	N 89°-59'-58" E	22.96'
E4	S 29°-25'-06" E	28.20'
E5	S 38°-44'-02" E	24.44'
E6	N 51°-15'-58" E	10.00'
E7	S 38°-44'-02" E	20.00'
E8	S 51°-15'-58" W	30.00'
E9	N 38°-44'-02" W	46.07'
E10	N 29°-25'-06" W	39.10'
E11	S 12°-50'-45" E	20.51'
E12	N 90°-00'-00" W	125.51'
E13	N 84°-04'-32" W	79.53'
E14	N 76°-26'-05" W	105.69'
E15	N 84°-27'-27" W	143.63'
E16	N 66°-24'-03" W	46.27'
E17	N 07°-33'-24" W	27.30'
E18	S 68°-34'-03" E	41.03'
E19	S 84°-27'-27" E	27.25'
E20	N 05°-32'-33" E	35.80'
E21	S 84°-27'-27" E	20.00'
E22	S 05°-32'-33" W	35.80'

PARKING TO BE ELIMINATED: 50+27+21+34 = 132 SPACES
TOTAL PARKING PROVIDED: 47-132 = 275 SPACES

PARKING INFORMATION				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	PARKING REQUIRED BY TOWN	WAREHOUSE 1 SPACE FOR EACH 2 EMPLOYEES IN THE MAXIMUM WORK SHIFT, OR EVERY 1,000 S.F. OF FLOOR AREA 100,000 S.F. / 1,000 = 100 PRODUCTION / OFFICE 1 SPACE FOR EACH 2 EMPLOYEES IN THE MAXIMUM WORK SHIFT, OR EVERY 1,000 S.F. OF FLOOR AREA 117,700 S.F. / 400 = 295		
		TOTAL = 395	407 SPACES	N/A
2	LOADING SPACES	-	12	N/A
3	MINIMUM PARKING DIMENSIONS	9x19	9x19	N/A
4	MINIMUM AISLE WIDTH	25'	25'	N/A
5	MINIMUM FRONT SETBACK	N/A	N/A	N/A
6	MINIMUM SIDE SETBACK	N/A	N/A	N/A
7	MINIMUM REAR SETBACK	N/A	N/A	N/A

TOWN OF NEW WINDSOR
PLANNING BOARD
STAMP OF APPROVAL



ARCHITECTURE
ENGINEERING
PLANNING
LANDSCAPE ARCHITECTURE
LAND SURVEYING
ENVIRONMENTAL SCIENCES
ANALYTICAL SERVICES

830 St Thomas Court
Harrisburg, PA 17109
(717) 651-9600
(717) 651-9608 Fax

BETTE & CRING
CONSTRUCTION GROUP

26 Century Hill Drive, Suite 101
Latham, NY 12110-2128
Phone 518-213-1100, Fax 518-213-1030

LSI LIGHTING INC.
103 EXECUTIVE DRIVE
SUITE 200
NEW WINDSOR, NY 12553-5068
(845) 562-5500

POWER
IMAGE

PROPOSED PRODUCTION FACILITY
NEW YORK INTERNATIONAL PLAZA
TOWN NEW WINDSOR, ORANGE COUNTY, NEW YORK

REVISIONS

No.	Date	Revised	By	Comments
1	6/13/01	Revised parking layout		
2	6/26/01	Town Comments		

Designed: J.S.
Drawn: D.P.K.
Checked: C.N.
Approved: C.N.
Scale: 1" = 40'
Project No: 01P421
Date: 5/4/01
CAD File: SPP42101

Title: SITE LAYOUT PLAN

Sheet No: SP-1